

\* E-filed 11/21/06 \*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DANIEL BOGGLEN

Plaintiff,

v.

COUNTY OF SAN BENITO, and Does 1  
through 10, inclusive,

Defendants.

No. C-06-02490 RMW PVT

ORDER GRANTING MOTION TO  
WITHDRAW

**[Re Docket Nos. 13, 14]**

On November 17, 2006, a hearing was held on plaintiff's counsel's motion to withdraw from representation of plaintiff in the present matter. At the hearing, counsel showed good cause for withdrawal. Counsel additionally indicated he has given proper notice to his client by mail and in person, properly warning his client as to approaching deadlines. Counsel further provided the court with plaintiff's current address. The court hereby grants counsel's motion to withdraw. Opposing counsel must direct future correspondence in this matter to plaintiff at the following address:

Daniel Bogglen  
CDC# F46098  
North Kern State Prison  
2737 W. Cecil Avenue  
Delano, CA 93616-0567

1 The parties are reminded that the current scheduling order, set forth in the court's August 2,  
2 2006 Case Management Scheduling Order (Docket #10), is as follows and will not be modified  
3 absent a showing of good cause to do so:

4  
5 **ENE**

6 The case is referred to Early Neutral Evaluation. The parties stipulated to postpone ENE  
7 until the hearing on the motion to withdraw. The parties may now directly contact their  
8 assigned Evaluator to pursue ENE.<sup>1</sup>

9 Amitai Schwartz  
10 Law Offices of Amitai Schwartz  
Watergate Towers  
11 2000 Powell St., #1286  
Emeryville, CA 94608-1860  
12 510-597-1775  
attorneys@schwartzlaw.com

13 **DISCOVERY**

14 Depositions (excluding experts): 10 per side.

15 Interrogatories: 25 to each party.

16 Independent Medical Examination: Last date for examination January 31, 2007. Plaintiff  
17 will have thirty (30) days thereafter to depose the examining physician.

18 Request for Production: No limit but narrowly tailored.

19 Request for Admissions: 10 per side.

20 **DEADLINES**

21 All fact discovery shall be completed by November 30, 2006.

22 **EXPERTS**

23 On or before December 15, 2006, the parties shall disclose experts.

24 Rebuttal expert disclosure due December 30, 2006.

25 All expert witness discovery to be completed by January 31, 2007.

26  
27  
28 <sup>1</sup> See the August 7, 2006 Notice of Appointment of Evaluator (Docket #11).

1       **MOTIONS**

2           Motion hearing cutoff is December 30, 2006, with dispositive motions on February 2, 2007,  
3           at 9:00 a.m.

4       **TRIAL**

5           Pre-Trial Conference Statements due March 2, 2007.

6           A Pre-Trial Conference will be held March 8, 2007 at 2:00 p.m.

7           Trial is scheduled for March 19, 2007.

8  
9  
10       DATED:       11/20/06



RONALD M. WHYTE  
United States District Judge

1 A copy of this order was mailed on \_\_\_\_\_ to:

2 **Plaintiff, *pro se***

3 Daniel Bogglen  
4 CDC# F46098  
5 North Kern State Prison  
6 2737 W. Cecil Avenue  
7 Delano, CA 93616-0567

7 **Former Counsel for Plaintiff:**

8 William L. Marder  
9 Polaris Law Group, LLP  
10 501 San Benito Street, Suite 200  
11 Hollister, CA 95023  
12 831-531-4214

12 **Counsel for Defendant:**

13 Michael C. Serverian  
14 Rankin Landsness Lahde Serverian & Stock, Suite 500  
15 96 No. Third Street  
16 San Jose, CA 95112  
17 408-293-0463

17 Counsel are responsible for distributing copies of this order to co-counsel, as necessary.